

## **Memorandum**

To: Planning Commission

From: Julianne Thomas, Planner

Alex Score, Biologist

Date: April 18, 2006

Re: Request for Future Land Use Map Amendment

---

**MEETING DATE:** April 26, 2006

---

**RE NUMBER:** 00081720.000200

**EXISTING FUTURE LAND USE MAP DESIGNATION:** Recreation (R)

**PROPOSED FUTURE LAND USE MAP DESIGNATION:** Public Facilities (PF)

**EXISTING ZONING DESIGNATION:** Industrial (I)

**PROPOSED ZONING DESIGNATION:** Industrial (I)

**PROPERTY OWNER:** Card Sound Golf Club Inc.

**AGENT:** None.

### **PROPERTY INFORMATION**

**Key:** Key Largo **Mile Marker:** Ocean Reef

**Size of Parcel:** 22,090.23 S.F. or 0.5 acres

---

**RE NUMBER:** 00081720.000000

**EXISTING FUTURE LAND USE MAP DESIGNATION:** Recreation (R) & Airport District (AD)

**PROPOSED FUTURE LAND USE MAP DESIGNATION:** Public Facilities (PF)

**EXISTING ZONING DESIGNATION:** Industrial (I)

**PROPOSED ZONING DESIGNATION:** Industrial (I)

**PROPERTY OWNER:** Ocean Reef Acquisition Corp.

**AGENT:** None.

### **PROPERTY INFORMATION**

**Key:** Key Largo **Mile Marker:** Ocean Reef

**Size of Parcel:** 1,105,086 S.F. or 25.36 acres; 6.72 acres proposed to be rezoned

### **Location Detail & Brief Description:**

The property is located on Key Largo in Ocean Reef. This property is south of the Barracuda Golf Course, east of the Dolphin Golf Course and abutting the airport runway to the east. The property is legally described as part of Government Lot 4, and part of the SE ¼ of the NW ¼ of the Plat of Lands of Seaboard Properties, Inc., Section 7, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081720.000000 and 00081720.000200.

**Existing Use:**

The property is currently occupied by a variety of industrial uses. Among the uses are three concrete water tanks, a reverse osmosis water treatment plant and provides water for landscaping and the golf courses, and a sewage treatment plant that serves the Ocean Reef community. In addition, there are five single story frame buildings used for storage and workshops. Part of the parcel is occupied by a warehouse building to service golf carts.

**Existing Habitat:**

The property is disturbed with sparsely scattered native and exotic plants.

**Land Use and Habitat on the 1985 Existing Conditions Aerials:**

The 1985 existing conditions aerials classify this property as Utilities.

**Neighboring Land Uses and Character:**

The surrounding properties are a variety of uses. Most of the parcels contain golf course or open space. The airport runway is to the East, and to the South are a variety of commercial buildings and uses.

**ZONING AND LAND USE HISTORY****Pre – 1986 Zoning:**

The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.

**Considerations during 1986 comprehensive plan process:**

During the 1986 revisions to the Monroe County Land Development Regulations and land use designations (Ordinance 33-1986 dated February 28, 1986), the subject property was re-designated as Sparsely Settled (SS) with Future Land Use Map (FLUM) designations of Recreation (R) and Airport District (AD). Staff does not know why the original land use designation and FLUM designations did not correspond.

**Consideration during the 2010 comprehensive plan Process:**

During the ensuing Comprehensive Plan process which culminated in the adoption of the Monroe County Year 2010 Comprehensive Plan in 1996, efforts were made to eliminate inconsistencies between the existing Land Development Regulations and the newly formulated Comprehensive Plan and to apply FLUM's consistent with the land use district designations. The property was given a FLUM designation of R which was inconsistent with original SS land use district designation.

**Map changes or boundary considerations since 1986:**

These parcels were changed from SS to I under a development agreement with Ocean Reef but the FLUM was not changed at the same time. Staff is seeking this change to make the FLUM consistent with the Land Use Designation and the land use.

## **ANALYSIS AND RATIONAL FOR CHANGE (Pursuant to Section 9.5-511 (d) (5) b.)**

### **(i.) Changed projections:**

None.

### **(ii.) Changed assumptions:**

The neighboring properties also have the FLUM Public Facilities (PF) with the same land use designation of Industrial (I). There is not a land use designation that (zoning) directly corresponds with Public Facilities, however the current uses of the property are public facilities.

### **(iii.) Data errors:**

An error was made when this parcel was originally designation Sparsely Settled (SS) instead of Industrial (I). The FLUM correction should have been made when the LUD was corrected.

### **(iv.) New issues:**

Staff became aware that the FLUM was not changed for several areas in Ocean Reef that had zone changes. Staff would like to remove these inconsistencies and allow full development of these parcels.

### **(v.) Recognition of a need for additional detail or comprehensiveness:**

The current zoning of I properly reflects the uses which occupy the parcel. In order for these critical uses to continue, the FLUM needs to be changed to be consistent with this zoning. This is the best place for these facilities as it is isolated away from residential uses.

### **(vi.) Data updates:**

None.

## **IMPACT AND POLICY ANALYSIS**

### **Comparison of development potential for the Current and Proposed Land Uses:**

#### **1. Current Land development regulations (LDR's)**

The property has a current FLUM designation of Recreation (R) and Airport District (AD) which is inconsistent with the I land use district map designation.

#### **Policy 101.4.9**

The principal purpose of the Recreation land use category is to provide for public and private activity-based and resource-based recreational facilities.

#### **Policy 101.4.16**

The principal purpose of the Airport District land use category is to prohibit the development of residential, educational or other uses which are characterized by the regular presence of large numbers of people within the hazard areas of civil and military airports.

#### **2. Potential Land Uses with Proposed Map Amendment**

Staff is requesting a future land use map amendment from Recreation (R) and Airport District (AD) to Public Facilities (PF).

#### **Policy 101.4.13**

The principal purpose of the Public Facilities land use category is to provide for land owned by public utilities and service providers.

#### **Compatibility with adjacent land uses and effects on community character:**

##### *Density and Intensity*

Changing the FLUM to be consistent with the current land use designation will not increase the allowed density on the site. The appropriate FLUM will, however, allow the existing uses to continue and expand if needed.

#### **Use Compatibility**

The proposed FLUM will not have an adverse effect on the surrounding areas. The surrounding areas are golf course, airport, or open space. These parcels are isolated from the residential areas. These uses have existed for over 20 years without any incompatibility recognized.

#### **Effects on Natural Resources Goal 102**

Goal 102 of the Year 2010 Comprehensive Plan states that Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands. Future development would be required to comply with all Monroe County Code, State and Federal environmental regulations.

The Land use designation and FLUM change will allow the parcel to be developed to its fullest potential and minimize the need to build or clear environmentally sensitive lands to provide services to the community.

#### **Effects on Public Facilities: Objective 101.11**

Monroe County shall implement measures to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities. The proposed FLUM amendments will allow the existing public facilities area in Ocean Reef to continue to serve the community.

#### **Local Traffic, Parking, and Traffic Circulation**

The subject property is located in Ocean Reef, a gated community with limited access to non-members. Much of the travel within Ocean Reef is conducted using golf carts and staff has no evidence that there will be any local traffic, parking or traffic circulation issues created.

#### **Effects on Public Facilities**

ORC provides many of its own services in terms and anticipates no problem continuing to meet the community needs if this amendment is approved and enacted.

#### **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**
  - (ii.) **Changed assumptions:**

The proposed FLUM matches the neighboring properties FLUM of Public Facilities (PF) and the land use designation of Industrial (I). There is not a land use designation that (zoning) directly corresponds with Public Facilities, however the current uses of the property are public facilities.
  - (iii.) **Data Errors**

There was an error made when the parcel was designated as SS instead of I in 1986.
  - (iv.) **New issues**

The current FLUM designation does not recognize or permit the existing uses. In order to allow these critical functions to continue, the FLUM needs to be updated to recognize the intended and existing use.
  - (v.) **Recognition of a need for additional detail or comprehensiveness:**

Staff recognized that parcels had changed their land use designations without the corresponding FLUM also being changed. Staff believes it is in the best interest for Monroe County as well as landowners to have a FLUM designation consistent with intended and existing use.
3. The subject property was zoned GU prior to 1986.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The subject property was subsequently assigned a land use designation of Industrial (I).
6. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated future land use categories of Recreation (R) and Airport District (AD) for the SS parcel.
7. The FLUM was not changed when the land use designation was changed.
8. The appropriate FLUM for the subject property is Public Facilities (PF).
9. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
10. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.

11. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

**CONCLUSIONS OF LAW:**

1. This map amendment meets criteria (ii), (iii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed Future Land Use Map designation is appropriate for this property and will allow the owners to make full use of the subject property.

**RECOMMENDATION:**

Based on the above Findings of Fact and Conclusions of Law, staff and DRC recommends **APPROVAL** to the Planning Commission for the proposed Future Land Use Map amendment from Recreation (R) & Airport District (AD) to Public Facilities (PF) for RE# 00081720.0000 and RE# 00081720.000200.